

*JOINT WORK SESSION:
DISCUSSION REGARDING THE
CORRIDOR DEVELOPMENT (CD)
ZONE & COMPREHENSIVE
REZONING*

Background

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The Frederick Avenue Corridor & Vicinity Development Capacity Study included a collection of “next step” recommendations including:

“It is not that the current zoning regime found in the Corridor is unsupportive of impactful development and redevelopment but it may need to become even more prescriptive to support the level of consistency in design and development that the Corridor needs to be more comprehensibly branded. That said, the study team does not believe that the Corridor needs a new zone, simply that it may prove beneficial to continue to refine the CD zone zoning language over the course of time and make it the preeminent zone in the Corridor.”

Background

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- The CD Zone was developed in conjunction with and to implement the *Frederick Avenue Corridor Land Use Plan* adopted in 2001
- Many of the facets of the Zone were taken from the *Final Report of the Frederick Avenue Corridor Master Plan Study Area* published in 1999

Corridor Development Zone

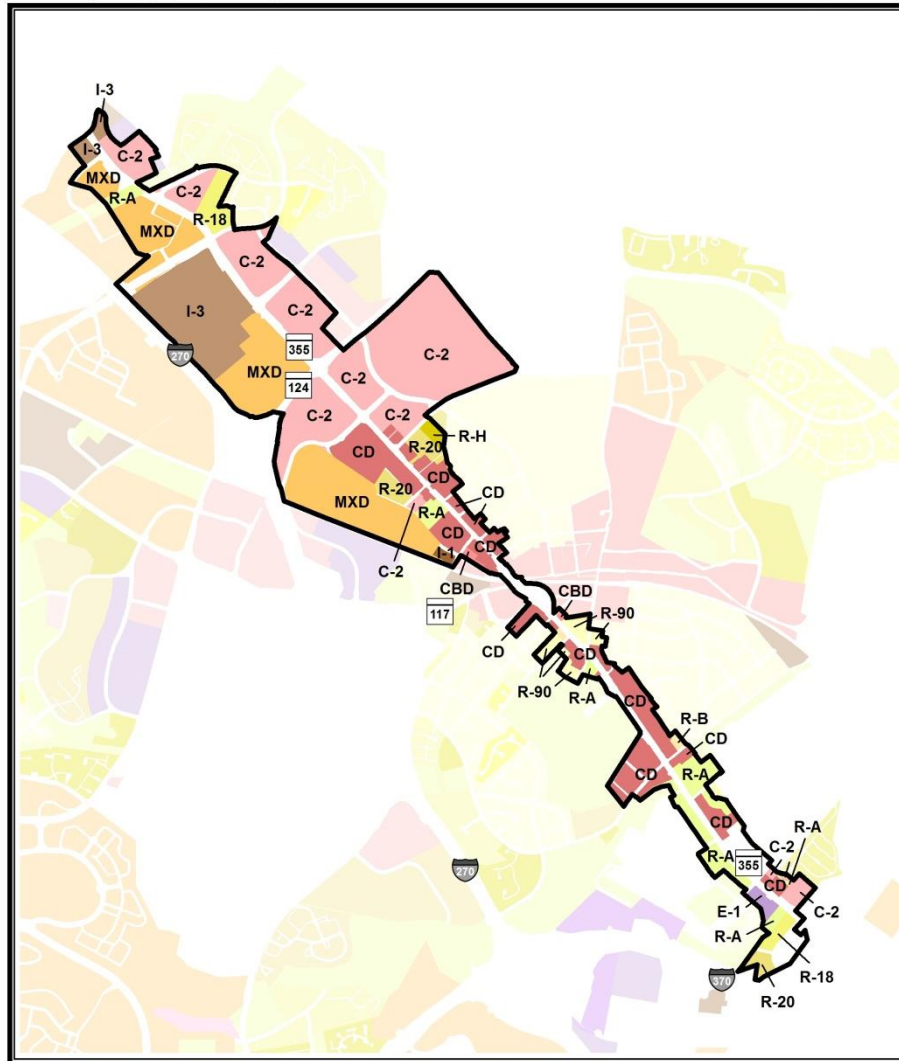
Sec. 24-160G.1. Purpose.

It is the purpose of the Corridor Development Zone to:

- (a) Encourage a form of development, consistent with the goals and provisions of the respective master plans for the city that will achieve the physical characteristics necessary to enhance the economic vitality, planned visual character and quality of life within an identified transportation corridor in the city.
- (b) Create a more attractive and cohesive development pattern and to enhance the city's sense of place through the creation of individual character associated with the corridor in the applicable corridor master plan.
- (c) Encourage development and redevelopment and renovation of declining or underutilized properties along the corridor.
- (d) Encourage the use of consistent, compatible and attractive architecture, streetscape and visual themes.
- (e) Create a streamlined process for zoning and plan approvals.
- (f) Provide an appropriate scale of development and mix of retail, service, employment and residential uses as recommended in the applicable corridor plan

Review Area

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Review Area

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Frederick Avenue Study Area Zoning Analysis

Zoning	Number of Parcels	Number of Tax Accounts	Number of Owners	Acres	Total Assessed Value	Total Value/sq ft	Land Assessed Value	Land Value/sq ft	Land Value percent	Notes
C-1	1	1	1	0.02	\$6,600	\$6.68	\$6,600	\$6.68	100.0%	City is the sole owner
C-2	59	59	43	238.59	\$371,596,000	\$35.75	\$145,825,600	\$14.03	39.2%	City owns 3 parcels
CBD	3	3	3	2.10	\$4,594,600	\$50.20	\$938,600	\$10.25	20.4%	
CD	165	237	136	123.57	\$288,002,500	\$53.51	\$84,335,800	\$15.67	29.3%	City owns 3 parcels
E-1	1	1	1	4.17	\$7,155,900	\$39.37	\$1,948,000	\$10.72	27.2%	
I-1	1	1	1	1.59	\$2,588,000	\$37.33	\$775,700	\$11.19	30.0%	
I-3	7	86	50	78.35	\$144,652,000	\$42.38	\$35,692,500	\$10.46	24.7%	
MXD	29	29	13	178.32	\$125,754,500	\$16.19	\$73,495,200	\$9.46	58.4%	City owns 1 parcel, County owns 2 parcels
R-18	5	5	3	16.44	\$26,707,100	\$37.29	\$6,120,100	\$8.55	22.9%	
R-20	6	6	4	16.33	\$24,251,100.00	\$34.09	\$5,951,900.00	\$8.37	24.5%	City owns 2 parcels
R-90	9	9	6	10.24	\$7,958,500.00	\$17.85	\$1,950,800.00	\$4.38	24.5%	
R-A	24	24	14	38.60	\$38,077,100.00	\$22.65	\$4,685,000.00	\$2.79	12.3%	
R-B	2	2	2	2.01	\$2,177,600.00	\$24.83	\$1,027,100.00	\$11.71	47.2%	
R-H	1	1	1	3.20	\$17,601,800.00	\$126.30	\$4,025,000.00	\$28.88	22.9%	
Totals:	313	464	278	713.53	\$1,061,123,300.00	\$34.14	\$366,777,900.00	\$11.80	34.6%	
						<u>Zoning Average Value/sq ft</u>		<u>\$10.94</u>		
						<u>Zoning Median Value/sq ft</u>		<u>\$10.36</u>		

Total Zoning Categories: 14

Note: number of tax accounts may be larger than number of parcels due to condominium regimes.

Review Area

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ZONING DEVELOPMENT REQUIREMENT MATRIX

Zone	Min Acreage	Height	Setback	Open/green Space	Lot Coverage	Density	Other
C-2	NA	not exceed 10 stories	None: unless adjoining Res. Zone	NA		1.5 Far	
RA	100K SF or 20K SF for SFD	<100K SF: 35'	Front and rear: 30' / Side 15'	40% Green Space	25% building lot coverage		
RB	NA	3 Stories and 40'	Front and Side: 10' / Rear 20'	30%	30% Lot Coverage	6 DU/ Acre	
R 18	1800 SF or 1200 Rear Attached TH Lots	(3) stories is the max. for townhouses; multiple- family dwellings max. height is (80) feet.	Front: 35' THs / Side: 20'	50% Green		18 DU/ Acre	
R 20	1800 SF or 1200 Rear Attached TH Lots	3 stories or 45'	Front and Rear: 30' /Side: 20'- For THs all 20'	50% Green	40% Lot	21.5 DU/ Acre	minimum distance between main buildings shall be forty (40) feet
R 90	9K SF/ 0 SF: Cluster	2.5 stories or 35'	Front and Rear: 30' / Side 10'	50% Green	30% Lot Coverage	3 DU/Acre or 3.5 Cluster	minimum distance between main buildings 50 feet
E 1	1 acre w/ min. 100' width	45'	Front: 30' / Rear and Side: 20'	30% Green	50% Lot		30% Net Lot Landscaped
I 3	2 acres w/ min. 100' width	110'	Front: 20' / Rear and Side: 50'	NA	25%	NA	minimum distance between main buildings 50 feet
MXD	10 acres		100' from non-MXD Properties	40% Res / 25% non-res	NA	.75 FAR	
CD	NA	(3) stories and not to exceed thirty-five (35) feet; (4) stories and not to exceed forty-five (45) feet ; six (6) stories and not to exceed sixty-five (65)	15'	NA	NA	NA	Height Waivers allowed.

Planning Commission Review

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- Staff approached the Planning Commission to begin a dialogue on the Corridor Development (CD) Zone.
- The dialogue explored the effectiveness of the CD Zone as it relates to the findings discussed in the “Frederick Avenue Corridor & Vicinity Capacity Study.”
- Staff with the Planning Commission discussed the following questions:
 - Are the defined CD Zone Purposes still valid?
 - Does the CD Zone as written, amended and implemented the past 10+ years fulfill the defined Purposes?
 - How, if at all, should the Zone be changed?

Planning Commission Review

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June 18- Functional zoning within the Corridor. Do the base requirements of the CD Zone put those such-zoned properties, as opposed to other zones, at an inherent disadvantage as it relates to redevelopment and what changes if any should be made;

July 2- How the CD Zone relates to the City's Master Plan and visions for the Corridor; whether the CD Zone facilitates the recommendations/visions presented in Capacity Study, Strategic Plan, and the complete Master Plan, or is it too closely aligned to the 2001 plan; and

August 6- How the CD Zone functions procedurally; does the CD Zone facilitate a streamlined process?

Planning Commission Conclusions

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- The CD Zone has no inherent base zoning limitations as it relates to redevelopment opportunities and is, in fact, flexible
- The MXD Zone is not appropriate for all of the Corridor
- The CD Zone may accommodate both large and small scale developments; however, the current processes are neither simple nor cost effective for small parcel owners. The rezoning and plan amendments processes do not reflect economies of scale

Planning Commission Conclusions

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- The “Purpose” language of the CD Zone should make it clear that the intent of the zone is to encourage redevelopment for all sized projects and de-emphasize aesthetic “sameness”
- A common “Theme” does not necessarily mean architecture or appearance
- CD Zone should, in general, either reflect a less prescriptive design approach to encourage flexibility, or be even more prescriptive in design standards such as a Euclidean Zone. The current ordinance is contradictory and reflects both approaches

Planning Commission Conclusions

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- At a minimum, the CD Zone, as currently written, should be amended to change the basic height restrictions to reflect current construction methods
- Base design standards should be defined in subsequent Design Guidelines/Form Code and not the ordinance if the policy is to provide flexibility
- The use of Floor Area Ratio should be explored to replace current design requirements: setbacks etc.

Planning Commission Conclusions

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- A revised CD Zone should create an environment where the density and mixed uses add value to parcels, and provides more certainty of what is feasible on the property within a defined process
- There is need for consistent zoning throughout the Corridor and a comprehensive rezoning should be considered

Comprehensive Rezoning

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- To rezone a Euclidean zone to another Euclidean requires proof of “Change or Mistake”
- To rezone a Euclidean zone to a Floating zone requires the findings defined in the Zoning Ordinance for each individual Floating zone
- These are initiated on an individual basis by the property owner
- The other option is Comprehensive Rezoning initiated by the Council, usually in conjunction with a Master Plan adoption

Comprehensive Rezoning

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Comprehensive Rezoning can be considered, but piecemeal or individual-parcel rezoning is not permitted

- The Council can make comprehensive rezoning changes within a separate geographic district rather than the entire City, as long as that geographic district is considered comprehensively
- “Map Designations” however do not constitute geographic districts

Comprehensive Rezoning

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Rezoning must follow the Master Plan

- Following the Terrapin Run decision, Maryland General Assembly took steps to ensure any future rezonings must follow master plan recommendations
- Any comprehensive rezoning must now be consistent with and adopted “in accordance with” the most recent adopted Master Plan
- Does not prohibit consideration of past Master Plans, as long as they are referenced by the most recent Master Plan, such that the elements in question are effectively incorporated

Next Steps

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Staff is seeking guidance on how to proceed:

- Take no action on the CD Zone
- Amend Specific Sections of the CD Zone
- Begin Comprehensive Revision to the CD Zone